



## *Monroe County Legislature*

**RACHEL BARNHART**  
LEGISLATOR – DISTRICT 21

**RACHEL BARNHART**  
LEGISLATOR - DISTRICT 21  
1858 EAST MAIN STREET  
ROCHESTER, NEW YORK 14609  
OFFICE: (585) 753-1940  
FAX: (585) 753-1946  
EMAIL: RACHEL@RACHBARNHART.COM

December 4, 2023

Dear County Executive Bello,

This fall, you made public safety the centerpiece of your successful reelection campaign. Effective supervision of people who are on probation is an essential element of public safety, which is why you commissioned a report following the arrest of a sex offender accused of raping a minor near a school. That June 2022 report showed a lack of adequate staffing has been a persistent problem in the Office of Probation and Community Corrections.

Given this fact, I'm disturbed to learn that you appear to be spending resources from the probation department on a security detail for yourself. Personal security services are wholly outside of the mission of our probation department. This practice appears to be unprecedented, as I cannot find any examples of municipalities using probation officers for dignitary protection.

Here is the background on how we arrived at this point. On August 20, I filed a sweeping open records request for information regarding your security detail. I requested the following:

- All documents related to Monroe County Office of Probation and Community Corrections officers performing services for County Executive Adam Bello that pertain to providing security for him or working in a security detail capacity.
  - This includes dates, purpose of the security service (event), the cost of that service (hours worked and rate of pay), and names of officers and titles who provided this service.
- All documents related to Monroe County Sheriff's Office performing services for County Executive Adam Bello that pertain to providing security for him or working in a security detail capacity.
  - This includes dates, purpose of the security service (event), the cost of that service (hours worked and rate of pay), and names of officers and titles who provided this service.
- Any and all agreements between the Department of Public Safety and the Monroe County Sheriff's Office pertaining to security detail for County Executive Adam Bello.

On December 1, in response to my appeal of the county's constructive denial of my open records request, the County partially fulfilled my request with the following documents:

- The Operating Policy for the Special Protective Services Group (SPSG) signed by Public Safety Director Richard Tantalo on October 17.
- Memorandum of Agreement between the Monroe County Sheriff Police Benevolent Association, Inc. and Monroe County Sheriff's Office and County of Monroe executed in August that allows part-time deputies to perform security details services to the County Executive.
- "Dignitary Detail Call List," an undated spreadsheet with the names and titles of 21 County employees, including one part-time Sheriff's deputy, 13 probation officers, Director, Deputy Director, Assistant Director of Public Safety, and four other security personnel.

The County has withheld information to which the public is legally entitled. The information provided to date, however, is troubling, and leads to the following questions:

- Your administration provided a list of personnel that may be used for the SPSG but did not say if they are being used and how often.
  - Please provide a list of all dates and events where probation officers provided security detail services.
- What funds are being used to pay for the SPSG?
  - How much funding has been spent to date on the security detail?
  - What is the funds center in the budget? What has been budgeted for 2024?
- Can probation officers legally provide security detail services under state law?
  - Did the County include the security detail service in its 2023-2024 Annual Probation State Aid Plan, Certifications, and Application to the state?
    - Please provide this document for 2021-2022, 2022-2023 and 2023-2024.
  - Has the County communicated the use of probation officers for the SPSG to the state?
  - Providing security to the County Executive is not part of the job description for probation officers. Has the County violated civil service laws in using probation officers for a security detail?
  - Were any state funds used to pay probation officers while performing security detail duties?
    - Please prove this showing the overtime codes, funds centers and other relevant financial information.
- The June 2022 [report](#) on the Office of Probation and Community Correction cited a lack of staffing and proper operating procedures.
  - Have these deficiencies been corrected?
  - How many probation officer positions are vacant?
  - Are probation officers working for the SPSG on overtime? (Any overtime hours provided to the SPSG are overtime hours that cannot be provided to their primary mission.)
    - What is the overtime code and reason used to log these hours?
    - How many hours have been logged by probation officers for the SPSG?
      - For comparison purposes, please provide how many hours of overtime probation officers who worked for the SPSG have

logged in non-SPSG work during the same timeframe.

- Have any probation officers provided security detail services at political and campaign events?
  - Does this violate §45-13 (c) of the Monroe County Charter or any provisions of state law?
- I am pleased to see that after I requested guidelines for the security detail, the Public Safety Director drafted regulations. This document notes that dignitary protection can be offered to multiple officials and their families. Yet, the agreement with the Sheriff's union only refers to the County Executive.
  - Why did the County ask the Sheriff's Office to only provide dignitary protection services to the County Executive?
  - Under what authority can the SPSG legally provide security services to private individuals?

At any point in time, you could have come to the Legislature with a proposal to address your need for security services. Instead, you have created your own secret force with inappropriate personnel and inadequate oversight. You continue to hide information about its use and related expenditures.

I write this in advance of the Ways and Means Committee meeting on December 7 and budget vote on December 12. It is unacceptable for legislators to have to file open records requests to get information about spending and operations. If your office fails to produce answers to these questions, I will request that the Legislature convene a special committee to investigate this matter, as well as encourage the appropriate state authorities to conduct a review.

Sincerely,



Rachel Barnhart – Legislator District 21

Cc:

State Comptroller Thomas DiNapoli

State Attorney General Letitia James

Division of Criminal Justice Services Commissioner Rossana Rosado